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TAGS: [KTIP](#) [ELAB](#) [KCRM](#) [KPAO](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [SN](#)  
SUBJECT: SINGAPORE -- 2009 TIP REPORT: PRESS GUIDANCE AND  
DEMARCHE

REF: A. (A) STATE 59732  
[1](#)B. (B) STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Singapore of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Singapore and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not/precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at [www.state.gov/g/tip](http://www.state.gov/g/tip) shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than 12 noon local time on Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Singapore of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing

the framework in which the government's performance will be judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

¶7. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

¶8. Begin Final Text of Singapore,s country narrative in the 2009 TIP Report:

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SINGAPORE (TIER 2)  
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Singapore is a destination country for women and girls trafficked for the purpose of commercial sexual exploitation. Some women from Thailand and the Philippines who travel to Singapore voluntarily for prostitution or work are subsequently deceived or coerced into sexual servitude. Some foreign domestic workers are subject to conditions that may be indicative of labor trafficking, including physical or sexual abuse, confiscation of travel documents, confinement, inadequate food, rest, or accommodation, deceptions about wages or conditions of work, and improper withholding of pay.

Some Singaporean men travel to countries in the region for child sex tourism.

The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.

Singapore secured convictions of two defendants for sex trafficking-related crimes, including the first conviction under a recently amended law criminalizing the commercial sexual exploitation of children between 16 and 18 years of age. Singapore strengthened the Conditions of Work Permits for foreign domestic workers and collected unpaid wages on behalf of such workers in 276 cases. The government did not take adequate measures to protect victims of trafficking particularly foreign domestic workers subjected to forced labor conditions. While Singapore has made progress in combating trafficking to date, it can and should do more to investigate and prevent trafficking and to identify and assist trafficking victims.

Recommendations for Singapore: Prosecute the maximum possible number of cases involving the trafficking of children under the age of 18 for commercial sexual exploitation; prosecute employers and employment agencies who unlawfully confiscate workers, passports as a means of intimidating workers or holding them in a state of involuntary servitude, or use other means to extract forced labor; expand investigations and prosecutions in adult sex trafficking cases; develop robust procedures to identify potential traffickers and trafficking victims by immigration officers at ports of entry and other law enforcement personnel; devote additional resources to systematically identifying and quantifying sex and labor trafficking within and across national borders, as well as indicators (such as certain unlawful labor practices) that are common associated with trafficking, and publish findings and follow-up; use the findings to improve the anti-trafficking training of police, immigration, and Ministry of Manpower officers, as well as judicial personnel, carry out targeted anti-trafficking law enforcement operations, conduct focused public information campaigns, and make appropriate adjustments to administrative rules or procedures relating to the prevention of trafficking or the protection of trafficking victims; study ways to make affordable legal aid to trafficking victims to enable them to obtain redress by pursuing civil suits against their traffickers; reduce the demand for commercial sex acts in Singapore by vigorously enforcing existing laws against importing women for purposes of prostitution, trafficking in women and girls, importing women or girls by false pretenses, living or trading on prostitution, and keeping brothels; increase cooperative exchange of information about potential

trafficking issues with NGOs and foreign diplomatic missions in Singapore; conduct public awareness campaigns to inform citizens and residents of the recent amendments to the Penal Code and the penalties for involvement in trafficking for sexual exploitation or forced labor; and cooperate with foreign governments to institutionalize procedures for reporting, investigating, and prosecuting child sex tourism committed overseas by Singaporean citizens and permanent residents.

#### Prosecution

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The Government of Singapore demonstrated some law enforcement efforts to combat trafficking in persons during the reporting year. Singaporean law criminalizes all forms of trafficking, through its Penal Code, Women's Charter, Children and Young Persons Act, Employment of Foreign Manpower Act, Employment Agencies Act, Employment Agency Rules, and the Conditions of Work Permits for foreign domestic workers. Penalties prescribed for sex trafficking, including imprisonment, fines, and caning, are sufficiently stringent and commensurate with those prescribed for other grave crimes, as are penalties prescribed for labor trafficking. The Singapore Police Force investigated 54 reports of sex trafficking during the reporting period; two cases resulted in prosecutions, while the others reportedly were closed due to lack of substantiating evidence. The government prosecuted and secured the convictions of two trafficking offenders in 2008, both for sex trafficking offenses. One trafficker who brought a Filipina woman into Singapore for the purpose of prostitution was fined \$8,000 with an alternative sentence of 12 weeks, imprisonment if she failed to pay the fine. Another trafficker who brought an underage Chinese girl to Singapore for commercial sexual exploitation was sentenced to one year in prison. There were no criminal prosecutions of labor agency representatives for trafficking crimes in 2008; the government prosecuted some employers for physical or sexual abuse of foreign domestic workers, for illegal deployment<sup>8</sup> (unlawfully requiring a worker to work at premises other than those stated in the work permit), for failing to pay wages due, or for failing to provide acceptable accommodation or a safe working environment. There were no reports of government officials, complicity in trafficking crimes during the reporting period.

#### Protection

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The government did not show appreciable progress in protecting trafficking victims, particularly foreign domestic workers subjected to forced labor conditions. The government does not operate victim shelters, but instead referred potential victims of trafficking to NGO shelters or foreign embassies over the reporting period. Although two foreign embassies in Singapore documented over 150 women allegedly trafficked into Singapore for the purpose of commercial sexual exploitation, the government only identified two trafficking victims during the reporting period. One identified victim, a Chinese girl, was referred by the government to an NGO-operated shelter during the prosecution of her trafficker. The other victim returned voluntarily to the Philippines before a report was filed with the police. In 2008, one NGO reported offering assistance to over 850 foreign workers, some of whom claimed they had experienced trafficking-related conditions, such as fraudulent recruitment, withholding of documents, confinement, threats of serious financial harm related to recruitment debts as part of a scheme to keep the worker performing the relevant labor or service, and physical abuse. In a survey of 206 migrant workers who resided at the shelter, 95percent reported that their employer or employment agency in Singapore held their passport, a known contributing factor to trafficking if done as a means to keep the worker performing a form of labor or service. The Philippine Embassy in Singapore reported contacts from 136 potential sex trafficking victims whose claims Philippine authorities determined to be credible. Six other diplomatic missions in Singapore reported a combined total of 21 to 23 potential or confirmed sex trafficking victims. Law enforcement efforts

aimed at curbing prostitution may have resulted in victims of sex trafficking being penalized for acts committed as a direct result of being trafficked. In 2008, the police arrested 5,047 foreign women for prostitution, who were generally incarcerated and then deported. The number of trafficking victims among this group is unknown; however, government measures to proactively identify potential trafficking victims among this vulnerable population, if any, appear to have been limited during the majority of the reporting period. At least 53 of those reportedly arrested and deported without being formally identified and provided with appropriate protective services were children, who should therefore have been classified as crime victims under Singapore's amended Penal Code. The government encourages identified victims to assist in the investigation and prosecution of trafficking offenders, and makes available to all foreign victims of crime temporary immigration relief that allows them to reside in Singapore pending conclusion of their criminal case. Singapore does not otherwise provide trafficking victims with a legal alternative to removal to countries where they may face hardship or retribution.

## Prevention

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The Singaporean government demonstrated some increased efforts to prevent trafficking in persons during the year. The government expanded its information campaign that aims to raise awareness among foreign workers of their rights and resources available, in an effort to prevent incidents of trafficking. It continued to print information on employees, rights and police hotline numbers for domestic workers on prepaid phone cards. The Ministry of Manpower has a biannual newsletter, published in multiple languages, that it mails directly to all 180,000 foreign domestic workers. All foreign domestic workers working in Singapore for the first time attend a compulsory course on domestic safety and their employment rights and responsibilities. The government undertook some administrative actions for violations of labor laws potentially related to trafficking, including employer fines and license suspensions for several employment agencies. It also strengthened the terms of work permits to expressly prohibit employers from making unauthorized deductions from domestic workers' salaries. Throughout the reporting period, at least 25 employers were convicted of physically or sexually abusing their foreign domestic workers and sentenced to terms of imprisonment ranging from a few weeks to over two years, depending on the severity of the abuse. Some male employers convicted of sexual abuse were also sentenced to caning. The government did not undertake specific measures to reduce demand for commercial sex acts involving adults in the legalized commercial sex industry in Singapore. Singapore has not ratified the 2000 UN TIP Protocol.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a

showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1 ) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and



traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."

-- The text of the TVPA and amendments can be found on website [www.state.gov/g/tip](http://www.state.gov/g/tip).

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

¶10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

¶11. The following is press guidance provided for Post to use with local media.

Q1: Why was Singapore again given a ranking of Tier 2?

A: The Government of Singapore does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Singapore secured convictions of two defendants for sex trafficking-related crimes, including the first conviction under a recently-amended law criminalizing the commercial sexual exploitation of children between 16 and 18 years of age. The government did not take adequate measures to protect victims of trafficking, particularly foreign domestic workers subjected to forced labor conditions. While Singapore has made progress in combating trafficking to date, it can and should do more to investigate and prevent trafficking and to identify and assist trafficking victims.

Q2: What progress has Singapore made in the past year?

A: The government prosecuted and convicted two trafficking offenders in 2008, both for sex trafficking offenses. The Government expanded its information campaign that aims to raise awareness among foreign workers of their rights and resources available, in an effort to prevent incidents of trafficking. It continued to print information on employees, rights and police hotline numbers for domestics on prepaid phone cards.

Q3: What efforts could Singapore make to improve its fight against trafficking in persons?

A: The Government of Singapore could: prosecute the maximum possible number of cases involving the commercial sexual exploitation of children under the age of 18; prosecute employers and employment agencies who unlawfully confiscate workers' passports as a means of intimidating workers or holding them in a state of involuntary servitude, or use other means to extract forced labor; expand investigations and prosecutions in adult sex trafficking cases; develop robust procedures to identify potential traffickers and trafficking victims by immigration officers at ports of entry and other law enforcement personnel; reduce the demand for commercial sex acts in Singapore by vigorously enforcing existing laws against importing women for purposes of prostitution, trafficking in women and girls, importing women or girls by false pretenses, living or trading on prostitution, and keeping brothels; increase cooperative exchange of information about potential trafficking issues

with NGOs and foreign diplomatic missions in Singapore; conduct public awareness campaigns to inform citizens and residents of the recent amendments to the Penal Code and the penalties for involvement in trafficking for sexual exploitation or forced labor; and cooperate with foreign governments to institutionalize procedures for reporting, investigating, and prosecuting overseas child sex tourism by Singaporean citizens and permanent residents.

¶12. The Department appreciates posts, assistance with the preceding action requests.

CLINTON